

PROB 12A
(10/24)

United States District Court
for
District of New Jersey
Report on Individual Under Supervision

Name of Individual Under Supervision: Omar A. Martinez

Cr.: 20-01068-001

PACTS #: 6587043

Name of Sentencing Judicial Officer: THE HONORABLE ESTHER SALAS
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 05/15/2024

Original Offense: Count One: Conspiracy to Distribute Methamphetamines, 21 U.S.C. § 846, a Class A Felony
Count Two: Possession with Intent to Distribute Methamphetamines, 21 U.S.C. §§ 841(a)(1) and (b)(1)(B) and Section 2, a Class B Felony

Original Sentence: Time Served (254 Days imprisonment) on each count, concurrent; 3 years supervised release on each count, concurrent

Special Conditions: Special Assessment, Drug Testing and Treatment, Mental Health Treatment, Consent to Search, Status Conference

Type of Supervision: Supervised ReleaseDate Supervision Commenced: 05/15/2024

NONCOMPLIANCE SUMMARY

The individual under supervision has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

'You must refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and/or the use of alcohol, and must submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you must submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You must abide by the rules of any program and must remain in treatment until satisfactorily discharged by the Court. You must alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The U.S. Probation Office will supervise your compliance with this condition.'

On December 13, 2024, following a status conference before Your Honor, the undersigned officer contacted Integrity House to discuss the Court's expectations of Mr. Martinez's compliance with treatment moving forward. We are now writing to inform Your Honor that Mr. Martinez has been non-compliant with treatment.

Specifically, on February 10, 2025, due to several missed sessions, Mr. Martinez was presented with a *Treatment Agreement* to help facilitate his treatment engagement. The agreement, signed by Mr. Martinez and his counselor, agreed that he would return to an Intensive Outpatient Treatment (IOP) level of care. He is

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scheduled to attend six IOP groups per week on Mondays, Wednesdays, and Fridays. In addition, he must provide two weekly drug screens per week, as requested by staff, to be observed whenever possible. He missed treatment the entire week of February 3, 2025, and did not reach out to his counselor to explain his absence.

On February 26, 2025, Mr. Martinez's counselor contacted the undersigned officer and stated Mr. Martinez had been attending more often but arrives very late, almost missing the entire first group session. The undersigned officer spoke to Mr. Martinez regarding this issue, and the Court's recommendation to adhere to his treatment schedule.

On March 5, 2025, Mr. Martinez's counselor stated he again failed to meet his weekly requirements for IOP. Based on his failure to adhere to the contractual agreement, Integrity House recommended placement in short-term residential treatment.

2

'You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.'

On February 10, 2025, Mr. Martinez attended a group session at Integrity House, where he was instructed to provide a urinalysis sample. However, he left before submitting the sample. Integrity House informed him that leaving without providing a requested urine sample is considered a presumptive positive. Later that week, he submitted an oral swab which tested positive for amphetamines. He denies using illicit substances and said he was taking cough medicine. Mr. Martinez submitted a urinalysis sample on February 24, 2025, which was negative, but unobserved, due to the unavailability of a male staff member.

On March 3, 2025, Mr. Martinez reported to Integrity House and submitted a urinalysis sample which was monitored by a male staff member. The staff member believed the sample appeared adulterated. As such, Mr. Martinez was directed to provide an oral swab, which he refused. Integrity House advised Mr. Martinez that refusing an oral swab is viewed as a positive result. He again refused to provide an oral sample and proceeded to leave.

3

'You must undergo treatment in a mental health program approved by the U.S. Probation Office until discharged by the Court. As necessary, said treatment may also encompass treatment for gambling, domestic violence, and/or anger management, or sex-offense specific treatment, as approved by the U.S. Probation Office, until discharged by the Court. The U.S. Probation Office will supervise your compliance with this condition.'

Mr. Martinez is attending mental health treatment at Certified Community Behavioral Health Clinics (CCBHC), which is a contracted provider through his Medicaid at Integrity House. According to the prescriber, Mr. Martinez missed his monthly session in February 2025, and did not communicate a reason for missing treatment. Additionally, Mr. Martinez initially failed to pick up his prescribed psychiatric medications on time but later retrieved them. The prescriber believes Mr. Martinez is taking his medication as directed.

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U.S. Probation Officer Action:

Mr. Martinez was sentenced before Your Honor on May 15, 2024, to time served and a three-year term of supervised release for Conspiracy to Distribute Methamphetamines and Possession with Intent to Distribute Methamphetamines. His term of supervision commenced the same day.

At the onset of supervision, Mr. Martinez was fully compliant with mental health and substance abuse treatment. He secured employment at Weill Cornell Medicine in New York, and eventually returned to his apartment in Teaneck, New Jersey where he continues to reside on his own.

Mr. Martinez has expressed stressors related to his mother's declining health following a stroke in December 2024. She was bedridden for several months and was ultimately transferred to a sub-acute facility in North Bergen, New Jersey. Mr. Martinez noted he is trying to manage a full-time job, his mother's care, and his own treatment obligations.

On December 12, 2024, Your Honor held a status conference and Mr. Martinez was reminded of his responsibility to prioritize his treatment given his mother's fragile medical condition. He agreed to be more communicative and express any foreseeable absences to his treatment provider and the probation office. As noted in this petition, Mr. Martinez's attendance in treatment continues to be sporadic. Additionally, he tested positive on an oral test for amphetamines, his drug of choice, and refused a recent oral test after a suspected adulterated sample.

Integrity House has recommended Mr. Martinez's placement in short-term residential treatment. Although Mr. Martinez denies illicit drug use, he is amenable to this placement. A bed space is pending.

Based on Integrity House's clinical recommendation to increase treatment, we are respectfully requesting no further action at this time. Mr. Martinez's next status conference was scheduled for February 19, 2025, but was adjourned to April 29, 2025. We will continue to closely monitor Mr. Martinez's compliance with treatment and will update the court immediately of any additional instances of non-compliance.

Respectfully submitted,

JOSEPH A. DAGROSSA, Chief
U.S. Probation Officer



By: IVETTELIS PEREZ
Senior U.S. Probation Officer

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APPROVED:

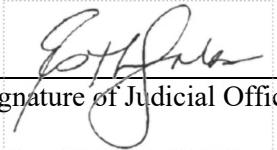

CARRIE H. BORONA
Supervising U.S. Probation Officer

March 10, 2025

Date

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

- No Formal Court Action to be Taken at This Time (as recommended by the Probation Office)
- Submit a Request for Modifying the Conditions or Term of Supervision
- Submit a Request for Warrant or Summons
- Other - Status Conference set on March 12, 2025 at 1:00 pm.



Signature of Judicial Officer

3/10/2025

Date